

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

**IN RE: BENICAR (OLMESARTAN)
PRODUCTS LIABILITY LITIGATION**

This document relates to:
Herbert Rodrigue
Sheila Rodrigue

MDL No. 2606
Case 1:15-cv-4455

Honorable Robert B. Kugler,
District Court Judge

Honorable Joel Schneider,
Magistrate Judge

NOTICE OF MOTION TO
WITHDRAW AND BE
RELIEVED AS COUNSEL

TO: Susan Sharko, Esq.
Drinker Biddle and Reath, LLP
600 Campus Drive
Florham Park, NJ 07932-1047
Attorneys for the Defendants

Mr. Herbert P. Rodrigue
Mrs. Sheila Rodrigue
218 Moresi Alley
Jeanerette, LA 70544

PLEASE TAKE NOTICE that on February 16, 2016, plaintiffs shall move before the Honorable Robert B. Kugler, U.S.D.J. at the United States District Court for the District of New Jersey, 1 John F. Jerry Plaza, 4th and Cooper Streets,

Camden, New Jersey, for an Order permitting the undersigned to withdraw as counsel, and substituting plaintiffs as pro se.

PLEASE TAKE FURTHER NOTICE that plaintiffs shall rely upon the Certification of Jessica CM Almeida and attached letter brief. A closely related motion to dismiss this action without prejudice is also being filed.

PLEASE TAKE FURTHER NOTICE that unless opposition is filed, plaintiffs do not request oral argument.

MAZIE SLATER KATZ & FREEMAN
Attorneys for Plaintiff

BY: /s/ Jessica CM Almeida
JESSICA CM ALMEIDA

Dated: January 25, 2016

MAZIE SLATER KATZ & FREEMAN, LLC

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New Jersey as a Civil Trial Attorney

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by the National Board of
Trial Advocacy

January 25, 2016

VIA ECF

Honorable Robert Kugler, U.S.D.J.
United States District Court
Mitchell H. Cohen Building and
U.S. Courthouse
4th and Cooper Streets
Camden, New Jersey 08101

Re: In re: Benicar (Olmesartan) Products Liability Litigation
Master Docket No. 15-2606 (RBK/JS)
Herbert Rodrigue v. Daiichi Sankyo, et als.
Civil Action No. 15-cv-04455-RBK-JS

Dear Judge Kugler:

Please accept this letter brief in support of the motion for Mazie Slater Katz & Freeman (“Mazie Slater”) to withdraw and be relieved as counsel, and naming plaintiffs as pro se.

Rule 1.16(b) of the New Jersey Rules of Professional Conduct allows a lawyer to withdraw as counsel where the client “fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled; (6) the representation . . . has been rendered unreasonably difficult by the client; or (7) other good cause for withdrawal exists.”

As demonstrated in the attached certification, plaintiffs have not cooperated with counsel, failing to reply to numerous communications, and making it impossible for counsel to continue

Honorable Robert Kugler, U.S.D.J.
January 25, 2016
Page 2

to represent plaintiffs. Therefore, we request entry of an Order relieving Mazie Slater as counsel, and substituting plaintiffs as pro se.

Thank you for your courtesies and consideration.

Respectfully,



JESSICA CM ALMEIDA

JCMA/jcma

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CERTIFICATE OF SERVICE

I certify that on January 25, 2016, I filed and served Plaintiff's motion to withdraw as counsel and substitute plaintiffs pro se (the Certification of Jessica CM Almeida is being filed under seal and is not served on counsel), pursuant to Local Civil Rule 102.1, via ECF on:

Honorable Robert B. Kugler
United States District Court
Mitchell H. Cohen Building and
U.S. Courthouse
4th and Cooper Streets
Camden, New Jersey 08101

Honorable Joel Schneider
United States District Court
Mitchell H. Cohen Building and
U.S. Courthouse
4th and Cooper Streets
Camden, New Jersey 08101

And by ECF and email:

Susan Sharko, Esq.
Drinker Biddle and Reath, LLP
600 Campus Drive
Florham Park, NJ 07932-1047
Attorneys for the Defendants

And by email, regular, and certified mail, return receipt requested:

Mr. Herbert P. Rodrigue
Mrs. Sheila Rodrigue
218 Moresi Alley
Jeanerette, LA 70544

MAZIE SLATER KATZ & FREEMAN, LLC
Attorneys for Plaintiff

BY: /s/ Jessica CM Almeida
Jessica CM Almeida

Dated: January 25, 2016